United Nations S/2007/752

Security Council

Distr.: General
21 December 2007
English
Original: English/French

Draft resolution

The Security Council,

Recalling its resolutions and the statements of its President concerning the Democratic Republic of the Congo, in particular resolution 1756 (2007),

Reaffirming its commitment to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

Underscoring the long-term sustained efforts needed from the Government of the Democratic Republic of the Congo and its international partners to consolidate democracy and promote the rule of law, good governance, recovery and development,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Expressing its grave concern at the continued presence of foreign and Congolese armed groups and militias in the eastern part of the Democratic Republic of the Congo, including the Forces Démocratiques de Libération du Rwanda (FLDR), ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, which has resulted in a serious security and humanitarian crisis particularly in North Kivu,

Expressing in particular its deep concern at the humanitarian consequences of the recent fighting between the dissident militia of Laurent Nkunda and the Armed Forces of the Democratic Republic of the Congo (FARDC), and *recalling* that a comprehensive approach is needed to tackle the crisis in the Kivus including efforts to address the presence of all armed groups and militias, to end impunity and to promote reconciliation, social cohesion, recovery and development in the region,

Commending MONUC and the Congolese authorities for the substantial progress towards carrying out the disarmament, demobilization and reintegration of combatants in the district of Ituri, which helped to stabilize security conditions in that part of the country,

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Commending the joint efforts of the Governments of the Democratic Republic of the Congo and the Republic of Rwanda to address their common security concerns through dialogue and cooperation, *welcoming* in particular the joint communiqué on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes region, signed in Nairobi on 9 November 2007 (S/2007/679), which is an important milestone towards the definitive settlement of the problem of illegal armed groups in the eastern part of the Democratic Republic of the Congo, and *expressing* its appreciation for the ongoing efforts undertaken in this respect by the Secretary-General, his Special Representative and Assistant Secretary-General Menkerios,

Also commending the joint efforts of the Governments of the Democratic Republic of the Congo and the Republic of Uganda to address the continued presence of the Lord's Resistance Army (LRA) in eastern Congo, *welcoming* in particular the Summit in Ngurdoto, Tanzania, between President Kabila and President Museveni on 8 September 2007,

Commending also the efforts of the Government of the Democratic Republic of the Congo and other countries of the region to solve their common security concerns, and *welcoming* the Conclusions of the high-level meeting of the Tripartite Plus Joint Commission held in Addis Ababa on 4 and 5 December 2007,

Recalling its resolution 1325 (2000) on women, peace and security, its resolution 1502 (2003) on the Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, its resolution 1612 (2005) on children in armed conflict and its resolution 1674 (2006) on the protection of civilians in armed conflicts,

Deploring again the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, as well as other militias and armed groups and elements of the FARDC, the Congolese National Police (PNC) and other security and intelligence services, and *stressing* the urgent need for those responsible for these crimes to be brought to justice,

Condemning in particular sexual violence perpetrated by militias and armed groups as well as elements of the FARDC, the PNC and other security and intelligence services, *stressing* the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with MONUC and other relevant actors, to end such violence and bring the perpetrators, as well as the senior commanders under whom they serve, to justice, and *calling on* Member States to assist in this regard and to continue to provide medical, humanitarian and other assistance to victims,

Recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties in the armed conflict of the Democratic Republic of the Congo (S/AC.51/2007/17 of 25 October 2007),

Welcoming MONUC's policy to promote and protect the rights of women and to take into account gender considerations as set out in its resolution 1325 (2000) as a cross-cutting issue throughout its mandate and to keep the Council informed,

Urging all States, especially those in the region, including the Democratic Republic of the Congo itself, to take the appropriate steps to end the illegal trade in natural resources,

Declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out by its resolutions,

Recalling the importance of elections, including the forthcoming local elections, for the longer-term restoration of peace and stability, national reconciliation and establishment of the rule of law in the Democratic Republic of the Congo,

Recalling also the importance of urgently carrying out security sector reform for the long-term stabilization of the Democratic Republic of the Congo,

Taking note of the twenty-fourth report of the Secretary-General on MONUC dated 14 November 2007 (S/2007/671) and of its recommendations,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate and capacity of MONUC, as set out in resolution 1756, until 31 December 2008 and *authorizes* the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police personnel and 6 formed police units comprising up to 125 personnel each;

2. *Requests* MONUC to attach the highest priority to addressing the crisis in the Kivus in all its dimensions, in particular through the protection of civilians and support for the implementation of the Nairobi Joint Communiqué;

3. *Demands* that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo, in particular the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda and the LRA, lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation, resettlement, and reintegration, as appropriate, *stresses* the need to ensure that those militias and armed groups do not receive any support for their illegal activities, and *also demands*, recalling its resolution 1698 (2006), that all armed groups, in particular the forces of Laurent Nkunda and the FDLR, immediately stop recruiting and using children and release all children associated with them;

4. *Urges* the Government of the Democratic Republic of the Congo to address the crisis in the Kivus in a comprehensive way, including through promptly convening the Round Table on peace, security and development in the Kivus;

5. *Encourages* MONUC, in accordance with its mandate and emphasizing that the protection of civilians must be given priority in decisions about the use of available capacity and resources, to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to support the FARDC integrated brigades with a view to disarming the recalcitrant foreign and Congolese armed groups, in particular the FDLR, ex-FAR/Interahamwe and the dissident militia of Laurent Nkunda, in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration processes, as appropriate;

6. *Requests* the Secretary-General to report by 31 March 2008 on how MONUC could further support FARDC or take other measures in dealing with illegal foreign and Congolese armed groups;

7. *Emphasizes* that such operations by the FARDC should be planned jointly with MONUC and in accordance with international humanitarian, human rights and refugee law and should include appropriate measures to protect civilians, and *requests* the Secretary-General to include in his reports to the Council an assessment of the measures taken to protect civilians;

8. *Recalls* MONUC's mandate to use all necessary means to protect civilians under imminent threat of physical violence, particularly in the Kivus;

9. *Requests* the Secretary-General to continue to use its good offices in facilitating a political solution to address the underlying causes of the crisis in the Kivus, in close consultation with the Government of the Democratic Republic of the Congo, Governments of the region and other regional and international partners;

10. *Calls on* the Governments of the Democratic Republic of the Congo and the Republic of Rwanda, as a matter of urgency, to fully implement their commitments under the Nairobi Joint Communiqué, and to continue to cooperate to solve their common security concerns;

11. *Calls on* the Governments of the Democratic Republic of the Congo and the Republic of Uganda to fully implement their commitments under the Ngurdoto Agreement and to continue to cooperate to solve their common security concerns;

12. *Welcomes* the letters of the Secretary-General dated 11 October and 30 November 2007 (S/2007/694) with respect to assistance by MONUC to the Congolese authorities in the organization, preparation, and conduct of local elections, and *requests* MONUC, consistent with its existing mandate, to begin to provide the assistance described in these letters and *expresses* its intention to further consider the issue by the end of January 2008;

13. *Calls on* the Congolese authorities to intensify as a matter of urgency their efforts to reform the security sector, including the army, the police and the justice sector, *encourages* in particular the development of a comprehensive plan and timelines for the reform of the army, *invites* the Congolese Government to hold as soon as possible the planned round table on security sector reform and *urges* international partners to support this endeavour;

14. *Underlines* the importance of the support MONUC is providing, in close cooperation with the Congolese authorities, the United Nations Country Team and donors, to the strengthening of democratic institutions and the rule of law in the Democratic Republic of the Congo, and *calls upon* the Congolese authorities to take full advantage of the assistance offered by MONUC and other international partners in these respects;

15. *Reiterates* its call upon the Congolese authorities to put an end to impunity, by bringing to justice without delay perpetrators of grave violations of human rights and of international humanitarian law, with special attention to those responsible for recruitment and use of children as well as for grave violations against women and children, in particular sexual violence, to fully support the human rights mapping exercise initiated in the country by the High Commissioner for Human Rights, and to establish a vetting mechanism to take into account when

they select candidates for official positions, including key posts in the armed forces, national police and other security services, the candidates' past actions in terms of respect for international humanitarian law and human rights;

16. *Recalls* MONUC's mandate to assist in the promotion and protection of human rights, investigate human rights violations with a view to putting an end to impunity, assist in the development and implementation of a transitional justice strategy, and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law;

17. *Reaffirms* the obligation of all parties to comply fully with the relevant rules and principles of international humanitarian law relating to the protection of humanitarian and United Nations personnel, and *also demands* that all parties concerned grant immediate, full and unimpeded access by humanitarian personnel to all persons in need of assistance, as provided for in applicable international law;

18. *Requests* MONUC, in view of the scale and severity of sexual violence committed especially by armed elements in the Democratic Republic of the Congo, to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy, in close cooperation with the United Nations Country Team and other partners, to strengthen prevention, protection, and response to sexual violence, including through training for the Congolese security forces in accordance with its mandate, and to regularly report, including in a separate annex if necessary, on actions taken in this regard, including factual data and trend analyses of the problem;

19. *Encourages* MONUC to enhance its interaction with the civilian population, in particular internally displaced persons, to raise awareness about its mandate and activities;

20. *Takes note* of the benchmarks presented by the Secretary-General for a future gradual drawdown of MONUC, *encourages* MONUC to focus the activities of all its components on helping the Congolese authorities to achieve those benchmarks, and *requests* the Secretary-General to further develop the benchmarks and to report regularly to the Council on the progress made in this regard, including on the application of the United Nations integrated missions planning process (IMPP);

21. *Requests* the Secretary-General to continue to report regularly, and at least every three months, on the situation in the Democratic Republic of the Congo and on MONUC's activities, including on the issues referred to in paragraphs 7, 18 and 20 above;

22. *Decides* to remain actively seized of the matter.